

JOURNAL OF THE FLORIDA SENATE

Friday, May 21, 1971

The Senate was called to order by the President at 8:30 a.m. for the purpose of conducting the order of business of Introduction and reference of Resolutions, Memorials, Bills and Joint Resolutions, pursuant to Rule 4.3.

INTRODUCTION

By the Committee on Ways and Means—

SB 1583—A bill to be entitled An act relating to intangible personal property taxation; revising chapter 199, Florida Statutes, by repealing all provisions of said chapter and adopting the provisions of this act in lieu thereof; providing for the levy and reporting of intangible personal property for taxation; providing for exemptions; providing for assessment procedures; providing for state administration, collection and enforcement; providing for penalties and procedures; providing an effective date.

Was read the first time by title and referred to the Committee on Ways and Means.

By the Committee on Ways and Means—

SB 1584—A bill to be entitled An act relating to the Department of Professional and Occupational Regulation; amending section 20.30 (5), Florida Statutes, by authorizing the Department of Professional and Occupational Regulation to set uniform renewal and delinquency periods for the issuance of licenses; providing an effective date.

Was read the first time by title and referred to the Committee on Governmental Efficiency.

SCR 1585 was introduced out of order, by unanimous consent, adopted and certified to the House on May 20.

By the Committee on Personnel, Retirement and Claims—

SB 1586—A bill to be entitled An act relating to state, county, municipal, and all other public employees in the State of Florida; providing right to organize and bargain collectively as to terms and conditions of employment; providing method of bargaining procedure; creating and providing administration by the Florida Public Employees Relations Commission within the Department of Administration; defining rights of public employees and employers; providing payroll dues deduction; providing rules and procedures for registration, recognition, and certification of employee organizations and bargaining agents; providing payment of fees and expenses in collective bargaining process; providing grievance procedures; providing mediation and fact-finding procedures; establishing unlawful actions and practices; providing procedures to handle unlawful actions and practices, penalties and remedies; injunctive relief; providing effect on merit and civil service systems and state and local control of same; providing exemption from Section 286.011, Florida Statutes; providing repeal of Chapter 67-900 and 69-665, Laws of Florida, Section 839.221, Florida Statutes, and any other laws, ordinances, rules or regulations, which conflict with this act; providing an effective date.

Was read the first time by title and referred to the Committees on Judiciary—Civil B and Governmental Efficiency.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

May 19, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed as amended—

By the Committee on Insurance—

HB 1821—A bill to be entitled An act relating to private passenger motor vehicle insurance or security; providing definitions; requiring motor vehicle no-fault reparation insurance and

liability insurance up to certain limits and limiting tort liability; providing for approval of such policies by the department of insurance; providing that proof of security and financial responsibility by an owner or operator of a motor vehicle involved in an accident must be shown as a prerequisite to ownership, registration, licensing, and operation of motor vehicles in this state and providing that failure to provide proof of such security shall result in revocation of registration and license; providing for payment of certain specified benefits and that same are due when loss accrues; providing for priority of payment of benefits; providing for tort exemptions and limitation on damages; providing no-fault property protection; providing for certain deductibles; providing that the department shall adopt rules and regulations necessary to implement this act; providing that insurers file proposed manual, rules, rates and rating plans with the department for approval; providing that insurers shall adopt a rate more than fifteen per cent (15%) below the rates in effect as of the effective date of this act; providing for severability; providing an effective date.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

HB 1821, contained in the above message, was read the first time by title and referred to the Committee on Commerce.

The Senate recessed at 8:40 a.m.

The Senate was called to order by the President at 9:00 a.m. A quorum present—45:

Mr. President	de la Parte	Knopke	Sayler
Arnold	Ducker	Lane	Scarborough
Barrow	Gong	Lewis (33rd)	Stolzenburg
Beaufort	Graham	Lewis (43rd)	Trask
Bell	Gunter	McClain	Ware
Bishop	Haverfield	Myers	Weber
Boyd	Henderson	Ott	Weissenborn
Brantley	Hollahan	Plante	Williams
Broxson	Horne	Pope	Wilson
Childers	Johnson (29th)	Poston	
Daniel	Johnson (34th)	Reuter	
Deeb	Karl	Saunders	

Excused: Senator Johnson (29th) at 12:00 noon; Senators Barron, Brannen and Fincher.

Prayer by Senator de la Parte:

Heavenly Father, we ask thy blessing upon this body and we pray that we shall be granted the strength and wisdom to protect the interests of the people of Florida and to further the business of this great state.

Inspire each of us so that the duty we perform here will be honorable in thy sight and in the sight of those whom we are elected to serve. Amen.

Senator Williams was excused until 10:30 a.m.

The Journal of May 20 was corrected and approved.

The Journal of May 19 was further corrected and approved as follows:

Page 437, counting from the bottom of column 1, strike line 1, and insert: Barrow Johnson (29th) Ott Weber

The Journal of May 17 was corrected and approved as follows:

Page 407, counting from the bottom of column 2, strike lines 1, 2 and 3 and insert: the second time by title. The Committee on Public Schools offered the following amendment which was adopted on motion by Senator Broxson: On page 2, lines 4 and 5, section 2, strike effective clause and insert: Section 2. This act shall take effect July 1, 1971. On motion by Senator Myers, by two-thirds vote, HB 1153 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—44 Nays—None

FLOOR SESSIONS FOR WEEK OF MAY 24-28, 1971

Monday, May 24, 10:00 a.m.-1:00 p.m.

Tuesday, May 25, 9:00 a.m.-12:00 noon and 2:00 p.m.-5:00 p.m.

Wednesday, May 26, 9:00 a.m.-12:00 noon and 2:00 p.m.-5:00 p.m.

Thursday, May 27, 9:00 a.m.-12:00 noon and 2:00 p.m.-5:00 p.m.

Friday, May 28, 9:00 a.m.-1:00 p.m.

REPORTS OF COMMITTEES

The Committee on Rules, Calendar, Privileged Business and Ethics respectfully submits the following Special Order Calendar for Friday, May 21, 1971:

HB 371	HB 187	HB 342	SB 911
HB 668	HB 188	HB 1720	SB 1295
CS for	HB 189	SB 768	SB 247
HB 396	HB 131	SB 1162	SB 112
HB 335	HB 364	HB 891	SB 1038
HB 538	CS for	SB 1132	SB 728
HB 893	HB 176	SB 745	HB 798
HB 736	HB 601	SB 1043	HB 801
HB 170	HB 179	SB 1490	SB 789
HB 439	HB 41	SB 905	SB 759
HB 521	HB 1800	SB 921	SB 983
CS for	HB 1360	HB 1330	SB 1070
HB's 527	CS for	SB 913	SB 1186
and 524	HB's 501	HB 1327	
HB 532	and 458	SB 1297	

George L. Hollahan, Jr.
Chairman, Committee on Rules,
Calendar, Privileged Business and
Ethics

The Committee on Personnel, Retirement and Claims recommends the following pass: HB 346 with 1 amendment

The Committee on Judiciary—Civil B recommends the following pass:

HB 289	HB 950	SB 1468
HB 378	CS for	
HB 927	HB 1255 with 5 amendments	

The Committee on Governmental Efficiency recommends the following pass:

HCR 1460	SJR 1431
SCR 950	SB 1303
SB 1111 with 1 amendment	SB 1439 with 2 amendments
SB 1519 with 1 amendment	SB 806
SB 1408 with 2 amendments	SB 485 with 1 amendment
SB 804	SB 1225 with 1 amendment
SB 941 with 3 amendments	SB 631 with 1 amendment
SB 1314 with 1 amendment	HB 345 with 1 amendment
SB 1312 with 1 amendment	

The Committee on Governmental Efficiency recommends the following pass: CS for HB 794 with 4 amendments

The Committee on Health, Welfare and Institutions recommends the following pass: SB 1170

The Committee on Health, Welfare and Institutions recommends the following pass:

SB 1364 with 3 amendments	SB 1420	SB 1354
SB 1168 with 3 amendments		

The Committee on Natural Resources and Conservation recommends the following pass:

HB 425 with 2 amendments	HB 1163
CS for CS for HB 706, 513, 516	HCR 1310
HB 838	

The Committee on Rules, Calendar, Privileged Business and Ethics recommends the following pass: SB 1343

The bills contained in the foregoing reports were placed on the Calendar.

The Committee on Health, Welfare and Institutions recommends the following pass: SB 1047

The Committee on Natural Resources and Conservation recommends the following pass: SB 1290 with 4 amendments

The bills contained in the foregoing reports were referred to the Committee on Governmental Efficiency under the original reference.

The Committee on Governmental Efficiency recommends the following pass: SB 1146 with 1 amendment

The bill was referred to the Committee on Personnel, Retirement and Claims under the original reference.

The Committee on Personnel, Retirement and Claims recommends the following pass:

HB 471	HB 790 with 1 amendment
HB 3 with 1 amendment	SB 949 with 1 amendment
HB 293 with 1 amendment	SB 1373 with 4 amendments

The Committee on Health, Welfare and Institutions recommends the following pass: SB 989

The Committee on Health, Welfare and Institutions recommends the following pass: CS for HB 665 with 5 amendments

The Committee on Natural Resources and Conservation recommends the following pass: HB 791

The Committee on Rules, Calendar, Privileged Business and Ethics recommends the following pass: SB 957 with 2 amendments

The Committee on Universities and Community Colleges recommends the following pass: CS for HB 714

The Committee on Governmental Efficiency recommends the following pass: HB 653

The bills contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Universities and Community Colleges recommends a Committee Substitute for the following: SB 1340

The bill with Committee Substitute attached was placed on the Calendar.

The Committee on Public Schools recommends a Committee Substitute for SB 1390.

The bill with Committee Substitute attached was referred to the Committee on Governmental Efficiency under the original reference.

The Committee on Health, Welfare and Institutions recommends a Committee Substitute for SB 1485.

The Committee on Universities and Community Colleges recommends a Committee Substitute for SB 1504.

The bills with Committee Substitutes attached contained in the foregoing reports were referred to the Committee on Ways and Means under the original reference.

The Committee on Personnel, Retirement and Claims recommends the following not pass: SB 142

The Committee on Governmental Efficiency recommends the following not pass: Senate Bills 890, 1037, 958

The Committee on Health, Welfare and Institutions recommends the following not pass: HM 929, SB 1304

The Committee on Health, Welfare and Institutions recommends the following not pass: SB 1448, SB 1444

The Committee on Judiciary—Civil B recommends the following not pass:

CS for HB 616 SJR 1079 SB 1321 SB 1536

The Committee on Rules, Calendar, Privileged Business and Ethics recommends the following not pass: Senate Bills 1424, 460, 601

The bills contained in the foregoing reports were laid on the table.

ENGROSSING REPORTS

Your Engrossing Clerk to whom was referred SB 768 with 2 amendments reports that the Senate amendments have been incorporated and the bill is returned herewith.

ELMER O. FRIDAY
Secretary of the Senate

The bill was placed on the Calendar of bills on third reading.

Your Engrossing Clerk to whom was referred—

SB 55 with 3 amendments	SB 938 with 3 amendments
SB 58 with 2 amendments	SB 1136 with 1 amendment
SB 65 with 3 amendments	SB 1194 with 2 amendments
SB 72 with 2 amendments	SB 1580 with 4 amendments
SB 337 with 1 amendment	SCR 1480 with 5 amendments
SB 760 with 2 amendments	

—reports that the Senate amendments have been incorporated and the bills are returned herewith.

ELMER O. FRIDAY
Secretary of the Senate

The bills were certified to the House.

The Committee on Rules, Calendar, Privileged Business and Ethics referred the following bills to the local Calendar:

SB 1546	HB 900	HB 2094	HB 2153
SB 1547	HB 958	HB 2077	HB 2148
SB 1548	HB 1058	HB 2083	HB 2147
SB 1549	HB 1059	HB 2093	HB 2142
SB 1550	HB 1083	HB 1583	HB 2141
SB 1551	HB 877	HB 1504	HB 2140
SB 1552	HB 1893	HB 2075	HB 2135
SB 1553	HB 1892	HB 1723	HB 2128
SB 1554	HB 1202	HB 1901	HB 2127
SB 1555	HB 1586	HB 2084	HB 2102
SB 1556	HB 2159	HB 2081	HB 2123
SB 1557	HB 874	HB 1263	HB 2103
SB 1558	HB 1088	HB 1251	HB 2122
SB 1559	HB 1089	HB 1929	HB 2113
SB 1560	HB 1232	HB 1248	HB 2114
SB 1561	HB 1286	HB 1246	HB 2119
SB 1562	HB 1345	HB 1228	HB 2115
SB 1563	HB 1346	HB 1217	HB 2133
SB 1564	HB 1347	HB 1213	HB 2121
SB 1567	HB 1387	HB 725	HB 2112
SB 1568	HB 1434	HB 2076	HB 2116
SB 1569	HB 1436	HB 1392	HB 2134
SB 1570	HB 1435	HB 1676	HB 1264
SB 1571	HB 1515	HB 1712	HB 1349
SB 1572	HB 1619	HB 394	HB 2154
SB 1573	HB 1628	HB 2167	HB 2146
SB 1574	HB 1000	HB 2166	HB 1484
SB 1575	HB 1002	HB 2164	SB 1139
HB 837	HB 1003	HB 2161	HB 1233
HB 873	HB 1005	HB 2157	HB 1880
HB 875	HB 1004	HB 2155	
HB 876	HB 1388	HB 2150	

MOTIONS RELATING TO COMMITTEE REFERENCE

On motion by Senator Boyd, by two-thirds vote, HCR 1523 was withdrawn from the Committee on Rules, Calendar, Privileged Business and Ethics and placed on the Calendar.

HCR 1523—A concurrent resolution commending Steve Stephens of Palmetto, Florida.

WHEREAS, Steve Stephens has excelled himself as an international equestrian rider, and

WHEREAS, Steve Stephens became nationally recognized at the age of 18 by setting a record in the 1968 National Horse Show in the new Madison Square Garden, New York, New York, by winning the Puissance class with a jump of seven feet, which not only established a record for the new Madison Square Garden but set an all time record for a junior rider and he continued to excel in this performance by winning the Open Jumper Stake, and

WHEREAS, in 1969 he rode and exhibited the Florida bred thoroughbred, Beau Mac, to the overall National Hunter Championship, and

WHEREAS, at the 1970 Cleveland Grand Prix at Cleveland, Ohio, Steve Stephens continued his rise to national prominence by winning the Cleveland Grand Prix which is one of America's most competitive jumping competitions and he further continued to achieve national prominence and to embark on a career of international prominence in the equestrian world by being selected from among the most outstanding amateur equestrians in America as an alternate member of the United States Equestrian Team, and

WHEREAS, Steve Stephens gained international recognition for his great ability at the age of only twenty-one by winning the 1971 America's Gold Cup, the world championship of horse jumping competition, held in Tampa Stadium, Tampa, Florida on March 14, 1971. Of international prominence, Steve Stephens was riding the horse Houdini, bred in Ireland and owned by a Canadian. Competing in this competition were 40 of the most outstanding horses from three countries, as well as riders from Mexico, Canada, and the United States, with two members each of the United States Equestrian Team, and the Canadian Equestrian Team plus the most renowned professional riders in America, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida, the Senate Concurring:

That Steve Stephens is hereby recognized and commended for his distinguished achievements in the field of equitation and for his outstanding contribution to the people of the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution, signed by the President of the Senate and the Speaker of the House of Representatives, with the Great Seal of the State of Florida attached, be presented to Steve Stephens as a lasting symbol of the respect and appreciation of the people of the State of Florida.

Was read the second time in full. On motion by Senator Boyd, HCR 1523 was unanimously adopted and certified to the House.

On motion by Senator Scarborough, by two-thirds vote, SB 1586 was withdrawn from the Committee on Judiciary—Civil B and referred to the Committee on Personnel, Retirement and Claims.

On motion by Senator Scarborough, by two-thirds vote, SB 693 was withdrawn from the Committees on Personnel, Retirement and Claims and Ways and Means and from further consideration of the Senate.

On motion by Senator Hollahan, the Committee on Rules, Calendar, Privileged Business and Ethics was granted an additional 10 days for the consideration of Senate Bills 1351, 1352, 1363, 1370, 1457, 1497, 1532, 1282, CS for SCR 558 and HCR 1306.

On motion by Senator Daniel, the Committee on Governmental Efficiency was granted an additional 15 days for the consideration of Senate Bills 328, 1380, 1386, 1398, 1407, 1426, 1435, 1436, 1438, 1474, 1477, 1487, 1501, 1503, 1506, 1508, 1513, 1522, 1533, 1535, 1539, 1331, 1336, 1434 and SCR 1400.

On motions by Senator Karl, by two-thirds vote, House Bills 555, 558, 556 and 561 were withdrawn from the Committee on Commerce and placed on the Calendar.

On motion by Senator Beaufort, by two-thirds vote, SB 1072 was removed from the Calendar and from further consideration of the Senate.

On motions by Senator de la Parte, by two-thirds vote, SB 1174 and CS for SB 1353 were withdrawn from the Committee on Ways and Means and placed on the Calendar.

On motions by Senator Lane, by two-thirds vote, Senate Bills 314 and 315 were withdrawn from the Committees on Rules, Calendar, Privileged Business and Ethics and Ways and Means and from further consideration of the Senate.

On motion by Senator Haverfield, the Committee on Universities and Community Colleges was granted an additional 10 days for the consideration of Senate Bills 1366, 1458, 1488, 1510, 1511 and 932.

On motion by Senator de la Parte, the rules were waived and the Committee on Ways and Means was granted permission to consider SB 964 at the scheduled meeting this day.

MESSAGES FROM THE GOVERNOR

The Governor advised that on May 20, 1971, he had filed with the Office of the Secretary of State Senate Bills 239, 374, 1006, 1015 and 1017, which he had approved.

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas May 19, 1971
President of the Senate

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By Senator Thomas—

SB 226—A bill to be entitled An act relating to automobile liability insurance; amending §627.0851(1), Florida Statutes, relating to uninsured motorist coverage, to provide that such coverage shall be in an amount of up to one hundred percent (100%) of the liability insurance purchased by the insured; adding provisions with respect to such coverage on leased vehicles; adding provisions with respect to such coverage and benefits payable under workmen's compensation or similar benefits; providing an effective date.

Which amendment reads as follows:

On page 3, strike all of line 15.

and insert the following:

January 1, 1972, and shall be applicable solely

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

On motion by Senator Karl, the Senate concurred in the House amendment to SB 226.

SB 226 passed as amended, was ordered engrossed and the action of the Senate was certified to the House. The vote was: Yeas—32 Nays—None

Mr. President	Childers	Johnson (34th)	Plante
Arnold	Deeb	Karl	Reuter
Barrow	de la Parte	Knopke	Sayler
Beaufort	Ducker	Lane	Scarborough
Bishop	Gunter	Lewis (33rd)	Trask
Boyd	Haverfield	Lewis (43rd)	Weber
Brantley	Hollahan	McClain	Weissenborn
Broxson	Johnson (29th)	Myers	Wilson

A motion by Senator Plante that SB 735 be removed from the table, the unfavorable report of the Committee on Transportation to the contrary notwithstanding, failed to receive the required two-thirds vote and therefore failed of adoption.

SPECIAL ORDER

HB 371—A bill to be entitled An act relating to the air and water pollution control board; amending section 403.051(5), Florida Statutes, as amended by chapter 70-84, Laws of Florida, to change the quorum requirement from four (4) members to three (3) members for all hearings under section 403.121, Florida Statutes, which relate to violations of the pollution control law; providing an effective date.

Was read the second time by title. On motion by Senator Sayler, by two-thirds vote HB 371 was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Mr. President	Ducker	Knopke	Reuter
Bell	Gong	Lane	Sayler
Bishop	Graham	Lewis (33rd)	Scarborough
Boyd	Gunter	Lewis (43rd)	Stolzenburg
Brantley	Haverfield	McClain	Trask
Broxson	Henderson	Myers	Ware
Childers	Hollahan	Ott	Weber
Daniel	Horne	Plante	Wilson
Deeb	Johnson (29th)	Pope	
de la Parte	Johnson (34th)	Poston	

Pursuant to Rule 4.14, Senator Pope gave notice of intention to move to take up SB 771 out of order.

Consideration of HB 668 was deferred, the bill retaining its place on the Calendar.

CS for HB 396—A bill to be entitled An act relating to medical practice; amending chapter 458, Florida Statutes, by adding section 458.051; authorizing the state board of medical examiners to issue a license by endorsement; setting forth the requirements therefor; making the same void unless used; amending section 458.13(2) by adding a new paragraph to be designated section 458.13(2)(k), providing for medical faculty certificate; setting forth the requirements therefor; providing an effective date.

Was read the second time by title.

On motion by Senator Myers the following amendment was adopted:

In Section 1, line 23, page 1, strike line 23 and insert the following:

(1) Subject to the provisions herein contained, the board shall issue a license by

On motion by Senator Myers, by two-thirds vote, CS for HB 396 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

Mr. President	Ducker	Knopke	Sayler
Arnold	Gong	Lane	Scarborough
Beaufort	Graham	Lewis (33rd)	Stolzenburg
Bell	Gunter	Lewis (43rd)	Trask
Bishop	Haverfield	McClain	Ware
Boyd	Henderson	Myers	Weber
Brantley	Hollahan	Ott	Weissenborn
Broxson	Horne	Plante	Wilson
Childers	Johnson (29th)	Pope	
Daniel	Johnson (34th)	Poston	
de la Parte	Karl	Reuter	

On motion by Senator Myers, by two-thirds vote, CS for HB 396 was immediately certified to the House.

HB 335—A bill to be entitled An act relating to the department of health and rehabilitative services; creating §381.395, Florida Statutes; establishing in said department a program for the care and financial assistance of persons suffering from chronic renal diseases; providing an advisory council in connection therewith; designating powers and duties of the council; providing an effective date.

Was read the second time by title.

On motion by Senator Horne the following amendment was adopted:

On page 1, line 17, strike everything after the enacting clause and insert the following:

Section 1. Section 402.21, Florida Statutes, is created to read:

402.21 Care and assistance of persons suffering from chronic renal diseases; establishment of programs in kidney disease control.

(1) The department of health and rehabilitative services shall appoint a kidney disease board, hereinafter referred to as the board, from a list of nominees provided by the Florida kidney foundation. This board shall consult with the department of the administration of the act and shall act in an advisory capacity with the directors of the appropriate divisions of the department. The council shall be composed of eleven (11) persons, four (4) of whom shall be physicians as defined in chapters 458 and 459, trained in the treatment of chronic renal diseases; two (2) persons shall be representatives of hospitals and/or medical schools which have dialysis centers; three (3) persons

shall be representatives of local health agencies; and two (2) persons shall be members of the general public. Each member shall hold office for a term of four (4) years and until his successor is appointed and qualified, except that terms of the members first taking office shall expire, as designated at the time of appointment, two (2) at the end of the first year, three (3) at the end of the second year, three (3) at the end of the third year, and three (3) at the end of the fourth year from the date of appointment. Any person appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term. The council shall meet as frequently as the department deems necessary but not less than once each year. The council members shall receive no compensation but shall be entitled to travel and per diem expenses as authorized by Section 112.061.

(2) The department of health and rehabilitative services, hereinafter referred to as the department, with the advice of the kidney disease board, shall:

(a) Establish a program for the assistance of persons suffering from chronic renal disease and assist in the development and expansion of programs for the care and treatment of persons suffering from chronic renal diseases, including dialysis and other medical procedures and techniques which will have a life-saving effect in the care and treatment of persons suffering from these diseases.

(b) Develop standards for determining eligibility for care and treatment under this program.

(c) Assist in the development of programs for the prevention of chronic renal diseases.

(d) Assist in the establishment of screening programs and early diagnostic facilities.

(e) Make use of available funds and programs of the appropriate divisions of the department to obtain financial assistance for persons qualified for such assistance who are suffering from chronic renal diseases.

(f) Assist in equipping dialysis centers.

(g) Institute and carry on an educational program among physicians, hospitals, county health departments, and the public concerning chronic renal diseases, including the dissemination of information and the conducting of educational programs concerning the prevention of chronic renal diseases and the methods for the care and treatment of persons suffering from these diseases.

(h) Contract with existing facilities for the provision of care as outlined.

(3) The board shall:

(a) Enlist the cooperation of the appropriate divisions of the department of health and rehabilitative services in order to obtain assistance for all persons qualified to receive such benefits from these divisions.

(b) Submit to the appropriate divisions of the department of health and rehabilitative services criteria and guidelines for the use of these divisions in determining priorities and qualifications for persons suffering from chronic renal diseases who are in need of assistance in obtaining treatment for such diseases.

(4) Nothing in this act shall be construed to commit the state to provide direct financial assistance to patients requiring chronic dialysis therapy.

Section 2. This act shall take effect July 1, 1971.

On motion by Senator Horne the following amendment was adopted:

Strike the title and insert:

A bill to be entitled An act relating to the department of health and rehabilitative services; creating Section 402.21, Florida Statutes; establishing in the department a program for the care and financial assistance of persons suffering from chronic renal diseases; establishing an advisory council in connection therewith; designating powers and duties of the council; providing an effective date.

On motion by Senator Horne, by two-thirds vote, HB 335 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Mr. President	de la Parte	Johnson (34th)	Poston
Arnold	Ducker	Karl	Reuter
Beaufort	Gong	Knopke	Sayler
Bell	Graham	Lane	Scarborough
Bishop	Gunter	Lewis (33rd)	Stolzenburg
Boyd	Haverfield	Lewis (43rd)	Trask
Brantley	Henderson	McClain	Ware
Broxson	Hollahan	Myers	Weber
Childers	Horne	Plante	Wilson
Daniel	Johnson (29th)	Pope	

HB 538—A bill to be entitled An act relating to the state fire marshal; amending chapter 633, Florida Statutes, by amending section 633.061, Florida Statutes, by deleting present subsection (4) and renumbering present subsections (5) and (6) as new subsections (4) and (5) and adding new subsections (6) and (7) to provide that it shall also be unlawful to engage in the business of testing, repairing, inspecting or installing fire extinguishers and systems unless a license or permit is obtained from the state fire marshal; that such extinguishers and systems shall be serviced only by a licensed organization or individual; increasing license and permit fees; and eliminating present exemptions for fire departments for license fees; amending the license year to run from January 1 to December 31 of each year; exempting fire chiefs, fire inspectors and fire marshals or insurance company inspectors from requirement of license or permit with respect to inspections and exempting those engaged in the business of servicing, recharging, repairing, testing and inspecting certain enumerated sprinkler systems; and providing that any stated action taken in connection with all fire extinguishers covered by this chapter shall be done in compliance with pamphlet 10, 1970 edition, of the national fire protection association; amending section 633.071, Florida Statutes, to provide that a service tag shall also be required on all systems and amending said section to cover all extinguishers, whether portable, stationary or on wheels when required by rules and regulations of the state fire marshal, requiring a service tag to be completed in detail for testing, repairing, inspecting or installing any extinguisher or system, providing that, when required by rules or regulations, all portable extinguishers must be approved by Underwriters' Laboratories, Inc. or Factory Mutual and such approval shall be properly stamped on extinguishers in a permanent manner; amending section 633.161, Florida Statutes, by deleting present subsections (2), (3), (4), (5) and (6) and providing that the state fire marshal may issue notices to cease and desist or to correct hazardous conditions and, if any person fails to comply therewith, he may issue and order to cease and desist or to correct hazardous conditions; providing that any aggrieved person may demand a hearing and providing that violation of such order shall constitute a misdemeanor; adding new section 633.162, Florida Statutes, to provide for suspension or revocation of license or permit for violation of any provisions of this chapter, rules and regulations, or for failure to comply with order to cease and desist or to correct hazardous conditions and providing for issuance of written notice and charges and procedure thereon; adding new section 633.163, Florida Statutes, to provide for administrative fine or revocation of license or permit for violation of any order to cease and desist or to correct hazardous condition; adding new section 633.19, Florida Statutes, to provide for review by certiorari to circuit court of Leon County on any orders relating to suspension or revocation of license or permit or imposition of administrative penalties and providing that no such appeal shall operate as a supersedeas as to any such order, unless so ordered by the court; amending section 633.171, Florida Statutes, to provide that violation of any cease and desist order or order to correct condition shall constitute a misdemeanor and that it shall also be unlawful to improperly service, repair, recharge, test, inspect or install a fire extinguisher or system; it is unlawful to use another's permit or for a holder to allow use by another person; and it is unlawful to use or allow the use of a

license by anyone other than to whom issued; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote HB 538 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	de la Parte	Johnson (34th)	Poston
Arnold	Ducker	Karl	Reuter
Beaufort	Gong	Knopke	Sayler
Bell	Graham	Lane	Scarborough
Bishop	Gunter	Lewis (33rd)	Stolzenburg
Boyd	Haverfield	Lewis (43rd)	Trask
Brantley	Henderson	McClain	Ware
Broxson	Hollahan	Myers	Weber
Childers	Horne	Plante	Weissenborn
Daniel	Johnson (29th)	Pope	Wilson

HB 893—A bill to be entitled An act relating to elections; amending §98.051(2), Florida Statutes, authorizing acceptance of certain registrations when books are closed; providing an effective date.

Was read the second time by title. On motion by Senator McClain, by two-thirds vote HB 893 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

Mr. President	de la Parte	Johnson (34th)	Poston
Arnold	Ducker	Karl	Reuter
Beaufort	Gong	Knopke	Sayler
Bell	Graham	Lane	Scarborough
Bishop	Gunter	Lewis (33rd)	Stolzenburg
Boyd	Haverfield	Lewis (43rd)	Trask
Brantley	Henderson	McClain	Ware
Broxson	Hollahan	Myers	Weber
Childers	Horne	Plante	Weissenborn
Daniel	Johnson (29th)	Pope	Wilson

SB 592 was laid on the table.

HB 736 was taken up, together with:

By the Committee on Judiciary—Civil A—

SCS for HB 736—A bill to be entitled An act relating to dissolution of marriage; providing a state policy concerning dissolution of marriages; changing the word divorce to dissolution of marriage; creating section 61.043, Florida Statutes, to provide procedures for dissolution of marriage; creating section 61.044, Florida Statutes, to abolish certain defenses; creating section 61.052, Florida Statutes, to establish a basis for dissolution of marriage; providing that children of a dissolved marriage are legitimate; providing for alimony for either spouse and a proceeding in case of nonsupport; providing for child support by either parent and for child custody; providing for attorney's fees and costs to be paid by either party; repealing sections 61.041, 61.042, 61.051, 61.15, 61.19 and 61.20, Florida Statutes; providing an effective date.

Which was read the first time by title and HB 736 was laid on the table.

On motion by Senator Bell, by two-thirds vote, SCS for HB 736 was read the second time by title.

On motion by Senator Lewis (43rd) the following amendment was adopted:

On page 4, line 28, section 7, after the period "." insert: If the court finds that the marriage is irretrievably broken, it shall enter a judgment of dissolution of marriage, and that judgment shall restore to each spouse the status of being single and unmarried.

On motion by Senator Lewis (43rd) the following amendment was adopted:

On page 4, line 14, section 7, after the comma "," insert: either as to the necessary residence as provided in Section 61.021 or as to a finding that the marriage is irretrievably broken,

On motion by Senator Stolzenburg the following amendment was adopted:

On page 14, line 21, section 20, strike all of (2) and renumber the following sub-sections.

The President Pro Tempore, Senator Boyd, presiding.

On motion by Senator Pope the following amendment was adopted:

On page 3, line 26, strike "one (1) year" and insert: Two (2) years

On motion by Senator Barrow the following amendment was adopted:

On page 11, line 15, section 16, strike lines 15 through 24 and insert: fication.

Senator Wilson moved the adoption of the following amendment:

On page 12, line 8, section 17, strike the period and insert: an allowance for attorney fees shall not be enforced by contempt proceedings.

The amendment failed by the following vote:

Yeas—11

Bishop	Johnson (29th)	Poston	Weber
Brantley	Lane	Reuter	Wilson
Childers	Plante	Scarborough	

Nays—23

Arnold	Gong	Knopke	Pope
Barrow	Graham	Lewis (33rd)	Stolzenburg
Bell	Haverfield	Lewis (43rd)	Trask
Broxson	Hollahan	McClain	Ware
de la Parte	Horne	Myers	Weissenborn
Ducker	Johnson (34th)	Ott	

On motion by Senator Bell, by two-thirds vote, SCS for HB 736 as amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—23

Beaufort	Haverfield	Lane	Scarborough
Bell	Henderson	Lewis (43rd)	Trask
Bishop	Hollahan	Myers	Ware
Ducker	Johnson (29th)	Plante	Weissenborn
Gong	Johnson (34th)	Poston	Wilson
Graham	Knopke	Reuter	

Nays—12

Arnold	Broxson	Lewis (33rd)	Pope
Barrow	Childers	McClain	Stolzenburg
Brantley	de la Parte	Ott	Weber

By unanimous consent, Senators Gunter, Boyd, Deeb and Karl were recorded as voting nay; Senator Daniel as voting yea; Senators McClain and Ott changed their votes from nay to yea.

On motion by Senator Lewis (43rd), by two-thirds vote, SCS for HB 736 was ordered immediately certified to the House after engrossing.

HB 170—A bill to be entitled An act relating to sea oats and sea grapes; amending section 370.041(2), Florida Statutes,

making it unlawful for any purpose to remove or eradicate sea oats or sea grapes from public land or private land without the consent of the owner of such land; providing an effective date.

Was read the second time by title. On motion by Senator Bishop, by two-thirds vote HB 170 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Arnold	Ducker	Knopke	Saunders
Barrow	Gong	Lane	Saylor
Beaufort	Graham	Lewis (33rd)	Scarborough
Bell	Gunter	Lewis (43rd)	Stolzenburg
Bishop	Haverfield	McClain	Trask
Boyd	Henderson	Myers	Ware
Brantley	Hollahan	Plante	Weber
Broxson	Horne	Pope	Weissenborn
Childers	Johnson (29th)	Poston	Wilson
de la Parte	Johnson (34th)	Reuter	

By unanimous consent Senators Thomas and Daniel were recorded as voting yea.

HB 439—A bill to be entitled An act relating to salt water fish; amending section 370.11(2)(a), Florida Statutes, as amended by chapter 70-96, Laws of Florida, regulating the length of pompano, redfish and striped bass that may be taken, sold or possessed; providing an effective date.

Was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Bishop:

On page 1, line 26, section 1, following "twelve inches" add the following: or greater length than thirty inches

On motion by Senator Bishop, by two-thirds vote, HB 439 as amended was read the third time by title, passed and certified to the House. The vote was:

Yeas—35

Arnold	Ducker	Knopke	Saylor
Barrow	Graham	Lane	Scarborough
Beaufort	Gunter	Lewis (33rd)	Stolzenburg
Bell	Haverfield	Lewis (43rd)	Trask
Bishop	Henderson	McClain	Ware
Boyd	Hollahan	Plante	Weber
Brantley	Horne	Poston	Weissenborn
Broxson	Johnson (29th)	Reuter	Wilson
Childers	Johnson (34th)	Saunders	

Nays—2

Gong Myers

By unanimous consent Senators Thomas and Daniel were recorded as voting yea.

HB 521—A bill to be entitled An act relating to insurance; amending section 626.0620(1), Florida Statutes, to provide that cease and desist orders may be issued by the department for any act or practice that is injurious or harmful to insureds, policyholders, or the public; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote HB 521 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Arnold	Brantley	Ducker	Henderson
Beaufort	Childers	Gong	Hollahan
Bell	Daniel	Graham	Horne
Bishop	Deeb	Gunter	Johnson (29th)
Boyd	de la Parte	Haverfield	Johnson (34th)

Karl	McClain	Saunders	Ware
Knopke	Ott	Saylor	Weber
Lane	Plante	Scarborough	Weissenborn
Lewis (33rd)	Poston	Stolzenburg	Wilson
Lewis (43rd)	Reuter	Trask	

CS for HB's 527 & 524—A bill to be entitled An act relating to insurance; amending chapter 625, Florida Statutes, by adding §625.0308, to provide that any insurer which fails to file certain information, documents, or statements which are required to be filed under existing §625.0300, Florida Statutes, or any rule or regulation thereunder; shall be subject to certain penalties or forfeitures to be payable to the state treasurer; amending subsection (3) of §628.152, Florida Statutes, and adding subsection (6) to said section, eliminating the requirement that suit shall be brought within thirty (30) days to enforce compliance with any rule or regulation of the department made under this section, and providing that any person that fails to file any information, documents, or reports required to be filed under this section, or any rule or regulation thereunder, shall be subject to certain penalties or forfeitures to be payable to the state treasurer; providing an effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote CS for HB's 527 & 524 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays—None

Arnold	Gong	Lane	Scarborough
Barrow	Graham	Lewis (33rd)	Stolzenburg
Beaufort	Gunter	Lewis (43rd)	Trask
Bishop	Haverfield	McClain	Ware
Boyd	Henderson	Myers	Weber
Brantley	Hollahan	Ott	Weissenborn
Broxson	Horne	Plante	Wilson
Childers	Johnson (29th)	Poston	
Deeb	Johnson (34th)	Reuter	
de la Parte	Karl	Saunders	
Ducker	Knopke	Saylor	

By unanimous consent Senators Thomas and Daniel were recorded as voting yea.

Pursuant to Rule 4.14, Senator de la Parte gave notice of intention to move to take up CS for SB 1353 out of order.

HB 532—A bill to be entitled An act relating to insurance and the regulation of insurance agents; amending section 626.022, Florida Statutes, to provide proper exceptions for application of part I of chapter 626, Florida Statutes; amending section 626.121, Florida Statutes, to require a permit for supervising or managing general agents; amending subsection (1) and adding new subsection (3) to section 626.151, Florida Statutes, to require supervising or managing general agents to comply with applicable provisions of the insurance code and requiring that the holder of or any applicant for a license or permit must not have had his eligibility for same revoked or suspended by the department; amending section 626.171, Florida Statutes, to require supervising or managing general agents to comply with applicable code provisions; amending subsection (1) of section 626.351, Florida Statutes, to include supervising or managing general agents in the law governing issuance of permits; amending subsections (2) and (3) of section 626.421, Florida Statutes, to include supervising or managing general agents in the law governing the continuance and expiration of permits; amending subsection (1) of section 626.491, Florida Statutes, to include supervising or managing general agents within the law governing termination of permit; amending subsection (1) of section 626.511, Florida Statutes, to include supervising or managing general agents in the law governing reasons for termination; amending subsection (1) of section 626.521, Florida Statutes, to require character and credit reports from supervising or managing general agents; amending subsection (1) of section 626.601, Florida Statutes, to authorize the department to inquire into improper conduct of supervising or managing general agents; amending the introductory paragraph of section 626.611, Florida Statutes, to include supervising or managing general agents within grounds for compulsory refusal, suspension, revocation

of permit; authorizing the department to suspend or revoke the eligibility of an agent for any ground stated; and adding new subsection (14) to provide for revocation of agent's license for guilt in felony crimes involving moral turpitude; amending the introductory paragraph of section 626.621, Florida Statutes, to include supervising or managing general agents within grounds for discretionary refusal, suspension, revocation of permit; providing that the department may suspend or revoke eligibility of licensee for grounds stated; and adding new subsection (8) to permit department to suspend license of any agent during pendency of criminal charges involving moral turpitude; amending subsections (1) and (4) of section 626.631, Florida Statutes, to include supervising managing general agents in procedures for refusal, suspension or revocation of license; and providing for revocation if licensee is convicted of a felony; amending subsections (1), (2) and (3) of section 626.641, Florida Statutes, to provide that department orders shall also specify period of revocation or suspension of eligibility to hold agent's license and providing that if a license or the eligibility to hold same has been revoked, such person shall not apply for another license within two years and providing that there shall be no reinstatement of eligibility if the initial reasons for revocation still exist or will recur; amending section 626.651, Florida Statutes, to provide that, upon suspension or revocation of an agent's eligibility, the department may suspend or revoke all other licenses held by a licensee; and, providing for suspension or revocation of eligibility of other agents associated with an agent who has had his eligibility revoked, if such associated agents participate in such wrongdoing; amending section 626.0101, Florida Statutes, to include supervising or managing general agents within the scope of part II of chapter 626, Florida Statutes; amending section 626.0107, Florida Statutes, to provide that all members of a corporation or partnership agency which are engaged in insurance business shall have a license of the same type and class; amending subsections (2) and (5) of section 626.0108, Florida Statutes, to eliminate requirement that applicants for license must be a resident of this state for six months; and providing that applicants for a solicitor's license must be employed by only one agent or agency; amending subsection (2) of section 626.0110, Florida Statutes, to provide that a solicitor may not be licensed under more than one agent or agency at one time; amending section 626.0111, Florida Statutes, to provide that the agency under which a solicitor is appointed shall be responsible for the acts of such solicitor; amending section 626.0117, Florida Statutes, to include supervising or managing general agents in specifications of contents of application; amending section 624.0300, Florida Statutes, to include supervising or managing general agents in provisions that require payment of appointment fee; amending subsection (2) of section 648.27, Florida Statutes, to provide that no license shall be issued to a bail licensee if eligibility to hold same has been revoked or if he is not otherwise qualified therefor; amending subsections (1) and (2) of section 648.45, Florida Statutes, to provide that the department may suspend or revoke the eligibility of a bail licensee to hold same for any violation on existing grounds for revocation or suspension of license; and providing that the eligibility of associated bail bondsmen may be suspended or revoked if such associates knowingly participate in wrongdoing with any bondsman who has been so revoked or suspended; amending subsections (1), (2), (3), (4) and (8) of section 648.46, Florida Statutes, to provide procedures for revocation or suspension of eligibility to hold bail license and providing for judicial review of department orders; amending subsections (1), (2) and (3) of section 648.49, Florida Statutes, to provide that the period of suspension of eligibility to hold a bail license shall not exceed one (1) year; providing that eligibility shall not be reinstated if original grounds for suspension still exist or will recur; providing that, if eligibility has been revoked, the department shall not issue another license until after expiration of two (2) years; amending subsections (1) and (2) of section 648.50, Florida Statutes, to provide that upon revocation or suspension of eligibility of a bail bondsman or runner, the department may suspend or revoke eligibility of said licensee to hold all other licenses held and providing for suspension or revocation of eligibility of other bail licensees which are associated with the wrongdoer, if such associates knowingly participated in the initial violations of law; amending section 648.54, Florida Statutes, to provide that upon denial, suspension, or revocation of eligibility to hold a bail license by the department, such person may appeal the order to the first district court of appeal; adding section to this bill which provides that the permit of a supervising or managing general agent shall be required after October 1, 1971; providing an effective date.

Was read the second time by title.

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Karl:

On page 14, line 4, section 12, insert: after the words "pleaded guilty": or nolo contendere

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Karl:

On page 14, line 28, section 13, strike "The applicant or licensee or permittee" and insert: If such person

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Karl:

On page 19, line 13, section 19, after the word "state" strike the period (.) and insert: and will actually reside in the state at least six months out of the year.

Senator Williams was recorded present.

On motion by Senator Karl, by two-thirds vote, HB 532 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—41 Nays—None

Arnold	Gong	Lane	Scarborough
Barrow	Graham	Lewis (33rd)	Stolzenburg
Beaufort	Gunter	Lewis (43rd)	Trask
Bell	Haverfield	McClain	Ware
Bishop	Henderson	Ott	Weber
Boyd	Hollahan	Plante	Weissenborn
Brantley	Horne	Pope	Williams
Broxson	Johnson (29th)	Poston	Wilson
Childers	Johnson (34th)	Reuter	
Daniel	Karl	Saunders	
Deeb	Knopke	Sayler	

By unanimous consent Senator Thomas was recorded as voting yea.

HB 668—A bill to be entitled An act relating to hotels and restaurants; amending §§509.091, 509.211 (6) (f) and (7), 509.221(3), 509.241(2)(a), (3) and (4), and 509.292; deleting obsolete references to the hotel commissioner and deputy hotel commissioner; deleting obsolete reference to the code of national fire underwriters; providing for the use of green lights at fire escape openings; deleting obsolete screen requirements; deleting language relating to food service establishments; stating that licenses are not transferable from one place or individual to another; deleting the license application grace period; including misrepresentation of oleomargarine, fruit and fruit juice under existing penalty provision for misrepresenting seafood and seafood products; repealing §509.231 relating to notice for butter substitutes; and providing an effective date.

Was read the second time by title.

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Brantley:

On page 3, section 4, strike "~~regularly~~" on line 20, and insert: regularly and strike "~~immediate~~" on line 21 and insert: immediate

The Committee on Commerce offered the following amendment which was adopted on motion by Senator Brantley:

On page 5, section 5, strike "~~regularly~~" on line 5 and insert: regularly and strike "~~immediate~~" on line 6 and insert: immediate

On motion by Senator Graham the following amendment was adopted:

On page 3, between lines 8 and 9, add new sections 4 and 5.

Section 4. Paragraph (a) of subsection (4) of section 509.211, Florida Statutes, appearing as paragraph (a) of subsection (5) of section 509.211, Florida Statutes, 1970 Supplement, is amended to read:

509.211 Safety regulations.—

(5)(a) Before the erection or remodeling is begun of any building for use as a public lodging or public food service establishment or any building located on the premises of such an establishment which may be used by guests of the establishment, the registered architect's plans or registered engineer's plans, with detailed specifications, shall be approved by the supervising architect or engineer of the division of hotels and restaurants, *except when, the division determines that a county or municipality provides for satisfactory inspection and approval of such plans and specifications.* All plans, specifications and drawings submitted for the purpose of securing building permits from any state, county or municipal building inspector, or other officer having like jurisdiction, shall bear the signature and seal of the architect or engineer and supervising architect or engineer of the division, *county, or municipality* before said building permit is issued.

Section 5. Subsection (1) of section 509.2111, Florida Statutes, 1970 Supplement, as created by chapter 70-281, Laws of Florida, is amended to read:

(1) With respect to the construction of apartment houses, town houses, and cooperative or condominium apartment buildings, in those areas of the state which have local or district building codes and inspection requirements which are substantially consistent with, or more stringent than, the Southern Standard Building Code, as amended, or the South Florida Building Code when applicable, if the plans and specifications for such building or buildings have been prepared by, and reflect the seal of, a Florida registered architect or a Florida registered professional engineer and such architect or engineer has certified that the plans comply with the local or district building codes, then the plans and specifications shall be submitted to the supervising architect of the division of hotels and restaurants only for his verification, except when such building contains a public food service establishment, that such building or buildings will be built in an area which is subject to local or district building codes and inspection requirements as set forth herein and that inspections are made as required by the building code, which fact shall then be endorsed on the plans and specifications by the supervising architect. *When the division determines that a county or municipality provides for satisfactory inspection and approval of plans and specifications it may use such approval in lieu of approval by the supervising architect of the division; provided, when such county or municipal approval is used in lieu of division approval, the fees charged by the division for such inspection shall be waived.*

Renumber remaining sections.

On motion by Senator Graham the following amendment was adopted:

On page 1, line 13, in title, insert after the semi colon (;): amending §509.211(4)(a), Florida Statutes, appearing as §509.211(5)(a), Florida Statutes, 1970 Supplement, and §509.2111(1), Florida Statutes, 1970 Supplement, as created by chapter 70-281, Laws of Florida; authorizing the division to use local inspection and approval of building plans and specifications;

The President presiding.

On motion by Senator Graham the following amendment was adopted:

On page 6 between lines 16 and 17, insert the following:

Section 7. Subsection (12) of section 20.16, Florida Statutes, is amended to read:

20.16 Department of business regulation.— There is created a department of business regulation.

(12) All powers, duties, and functions of the *division of general regulation* ~~Florida industrial commission~~ relating to the enforcement of the elevator inspection law, under chapter 399, are assigned to the *division of hotels and restaurants*, by a ~~type four transfer to the department of business regulation, and the functions shall be assigned to the division of general regulation.~~

Section 8. Subsection (1) of section 399.01, Florida Statutes, is amended to read:

(Substantial rewording of subsection. See §399.01(1), F.S., for present text.)

399.01 Definitions.—When used in this chapter:

(1) The term "division" means the division of hotels and restaurants of the department of business regulation.

Section 9. Subsection (4) is added to section 399.08, Florida Statutes, to read:

399.08 Routine inspections, tests and maintenance.—

(4) *When an elevator service contract or public liability insurance policy is maintained for an elevator, the division may accept in lieu of the inspection provided for in this section an annual elevator inspection report made pursuant to such service contract or public liability insurance policy for said elevator. The division shall make such regulations as it deems appropriate to assure the adequacy of such inspection.*

Section 10. Section 399.13, Florida Statutes, is amended to read:

399.13 Municipalities or counties, cooperation with.—The division may enter into cooperative agreements with municipalities or counties which maintain their own elevator inspection departments whereby such municipalities or counties may issue permits for the erection, alteration or repair of elevators and may provide the regular inspection of elevators as contemplated by this chapter. Each such agreement shall include provision that the municipality or county shall furnish promptly to the division a copy of each permit issued by it for erection, alteration or repair of an elevator and a copy of each final inspection report made after completion of such erection, alteration or repair; and may include such provisions as the division deems necessary for the efficient and proper administration of this chapter. The division may make inspections of elevators in such municipalities or counties for the purpose of determining that the provisions of this chapter are being met; and may cancel its agreement with any municipality or county which it finds has failed to comply substantially with such agreement and the provisions of this chapter.

Section 11. Subsection (9) of section 509.211, Florida Statutes, is amended to read:

(Substantial rewording of subsection. See §509.211(9), F.S., for present text.)

509.211 Safety regulations.—

(9) The division of hotels and restaurants shall inspect elevators as provided in chapter 399.

Section 12. Section 399.14, Florida Statutes, is hereby repealed.

Renumber remaining section.

On motion by Senator Graham the following amendment was adopted:

On page 1, lines 22 and 23, in title, strike all after semi colon (;) on lines 22 and 23 and insert: amending §20.16(12), Florida Statutes, to transfer the enforcement of the elevator inspection law to the division of hotels and restaurants; amending §399.01(1), Florida Statutes, to define "division"; adding subsection (4) to §399.08, Florida Statutes, to provide that the division may accept elevator inspection reports in lieu of inspection, under certain conditions; amending §399.13, Florida Statutes, to authorize the division to contract with counties as well as municipalities for the regular inspection of elevators; amending §509.211(9), Florida Statutes, to direct the division to inspect elevators pursuant to chapter 399, Florida Statutes; repealing §399.14, Florida Statutes, which contains exceptions

to the application of chapter 399, Florida Statutes; providing an effective date.

On motion by Senator Henderson, by two-thirds vote HB 668 as amended was read the third time by title.

Senator Wilson moved that further consideration of HB 668 be deferred. The motion failed by the following vote:

Yeas—13

Bell	Ducker	Stolzenburg	Wilson
Brantley	Lewis (33rd)	Trask	
Childers	McClain	Ware	
Daniel	Ott	Weissenborn	

Nays—23

Arnold	Haverfield	Karl	Poston
Beaufort	Henderson	Lane	Reuter
Bishop	Hollahan	Lewis (43rd)	Saunders
Deeb	Horne	Myers	Weber
Graham	Johnson (29th)	Plante	Williams
Gunter	Johnson (34th)	Pope	

HB 668 as amended passed and was certified to the House. The vote was:

Yeas—25

Arnold	Graham	Karl	Stolzenburg
Bell	Gunter	Lane	Trask
Boyd	Haverfield	Lewis (43rd)	Weissenborn
Brantley	Henderson	Myers	Williams
Daniel	Horne	Poston	
Deeb	Johnson (29th)	Reuter	
de la Parte	Johnson (34th)	Saunders	

Nays—13

Barrow	Ducker	Pope	Wilson
Beaufort	Lewis (33rd)	Saylor	
Bishop	McClain	Scarborough	
Childers	Plante	Ware	

By unanimous consent Senator Hollahan was recorded as voting yea.

Notice having been given pursuant to Rule 4.14, on motion by Senator Pope, consent was obtained to take up out of order—

SB 771—A bill to be entitled An act relating to mosquito control; amending §§388.031, 388.041, 388.061, and 388.211(1), Florida Statutes; eliminating the necessity of petitioners for the creation of a mosquito control district to freeholders; providing that all registered electors within such district shall be qualified to vote on the question of creation of such district, on a board of commissioners, or on change in district boundaries; providing an effective date.

—which was read the second time by title.

The Committee on Governmental Efficiency offered the following amendment which was adopted on motion by Senator Pope:

In Section 4, lines 25-26, page 3, strike "upon becoming a law" and insert: September 1, 1971

On motion by Senator Pope, by two-thirds vote, SB 771 as amended was read the third time by title, passed and ordered engrossed. The vote was: Yeas—38 Nays—None

Mr. President	Bell	Childers	Graham
Arnold	Bishop	Daniel	Gunter
Barrow	Boyd	de la Parte	Haverfield
Beaufort	Brantley	Ducker	Henderson

Horne	Lewis (43rd)	Reuter	Ware
Johnson (29th)	McClain	Saunders	Weissenborn
Johnson (34th)	Myers	Sayler	Williams
Karl	Ott	Scarborough	Wilson
Lane	Plante	Stolzenburg	
Lewis (33rd)	Pope	Trask	

By unanimous consent Senator Hollahan was recorded as voting yea.

Notice having been given pursuant to Rule 4.14, on motion by Senator de la Parte, consent was obtained to take up out of order—

CS for SB 1353—A bill to be entitled An act relating to corporations, defining corporations; amending section 608.32, Florida Statutes, prescribing the contents of annual reports required to be filed by corporations; creating sections 608.321 and 608.3211, Florida Statutes, prescribing the taxable period for corporation reports and setting a due date for filing and a delinquency date; creating sections 608.322 and 608.3221, Florida Statutes, prescribing dates for the valuation of net worth and the determination of other information for all taxable periods; amending section 608.33, Florida Statutes, removing exemptions for railroad, pullman, telephone, telegraph, insurance, banking and trust companies, building and loan associations and cooperative marketing associations, providing for imposition of an annual corporate privilege tax on corporate net worth, setting a due date and a delinquency date for payments; creating sections 608.331 and 608.3311, Florida Statutes, prescribing taxes and tax rates; creating section 608.332, Florida Statutes, prescribing special rules for corporations in existence less than twelve months, for bankrupt, dissolved and withdrawing corporations, for consolidated returns by controlled groups of corporations, and adjustment powers of the department of revenue; creating section 608.333, Florida Statutes, providing for an apportionment of net worth to ascertain the portion attributable to Florida; creating section 608.334, Florida Statutes, providing for a credit of intangible personal property taxes against the corporate privilege tax attributable to subsidiary corporations, providing for a credit of insurance premium tax paid under chapter 624; creating section 608.335, Florida Statutes, providing for refund, hearing and appeal procedures, establishing a general three year statute of limitations for refunds and for assessments, and providing for the issuance of tax warrants for the collections of delinquent taxes; creating section 608.336, Florida Statutes, conforming references in the Florida Statutes; amending section 608.35, Florida Statutes, providing penalties for delinquent reports and payments and providing for interest on delinquent and overpaid taxes; creating section 608.311, Florida Statutes, defining corporations to include mutual insurers and other non-stock business associations subject to state regulation; amending section 608.05 and subsection (1) of section 613.02, Florida Statutes, providing for payment of the corporate privilege tax upon incorporation and qualification to do business in Florida; requiring the department of revenue to provide information regarding this act; providing for effective date; providing for excision of certain sections of this act when no longer needed; providing for sections 2 through 18 of this act to become inoperative if and so long as a tax is imposed by the state on the net income of corporations.

On motion by Senator de la Parte, the rules were waived and the Senate reconsidered the vote by which CS for SB 1353 was placed on third reading, the vote by which it failed to pass having been reconsidered on May 19.

On motion by Senator de la Parte the following amendment was adopted:

On page 4, lines 3, 22 and 25, section 1, strike "value" and insert: book value

On motion by Senator de la Parte the following amendment was adopted:

On page 11, line 17, section 9, strike "just" and insert: book

On motion by Senator de la Parte the following amendment was adopted:

On page 5, lines 19, 20 and 21, section 1, strike "include the equity of the parent corporation in all subsidiary corporations within and without the consolidated group." and insert: be equal to the consolidated net worth of the consolidated group.

On motion by Senator de la Parte the following amendment was adopted:

On page 3, lines 23 and 24, section 1, strike "subject to regulation by the state"

On motion by Senator de la Parte the following amendment was adopted:

On page 20, lines 19 and 20, section 15, strike "subject to regulation by the state"

On motion by Senator de la Parte the following amendment was adopted:

On page 9, line 1, section 6, strike "paid or"

On motion by Senator de la Parte the following amendment was adopted:

On page 11, lines 18, 19, and 20, section 9, strike "and reflecting the underlying just value of the net worth of its subsidiary corporations"

On motion by Senator de la Parte the following amendment was adopted:

On page 12, line 19, section 9, strike "just" and insert: book

On motion by Senator de la Parte the following amendment was adopted:

On page 12, line 17, section 9, strike "solely"

On motion by Senator de la Parte the following amendment was adopted:

On page 13, lines 6 and 11, section 10, strike "numerator" and insert: denominator

On motion by Senator de la Parte the following amendment was adopted:

On page 12, line 26, section 10, strike "protion" and insert: portion

Senator Ducker moved the following amendment which failed:

On page 23, line 24, section 21, strike Section 21

Senator Sayler moved the adoption of the following amendment which failed:

On page 9, lines 17 and 27, section 6, strike "\$75" and insert: \$50

Senators Sayler, McClain and Ware offered the following amendment which was moved by Senator Sayler and failed:

On page 10, line 6, section 7, strike "\$1.00" and insert the following: \$.68

On motion by Senator Wilson the following amendment was adopted:

On page 12, line 17, section 9, strike "To avoid or defeat" and insert: To evade

Senator Karl presiding.

On motion by Senator de la Parte, by two-thirds vote, CS for SB 1353 as further amended was read the third time by title, passed and ordered engrossed. The vote was:

Yeas—30

Mr. President	Daniel	Karl	Saunders
Arnold	de la Parte	Knopke	Scarborough
Beaufort	Gong	Lewis (43rd)	Trask
Bishop	Graham	McClain	Weissenborn
Boyd	Gunter	Myers	Williams
Brantley	Haverfield	Plante	Wilson
Broxson	Hollahan	Pope	
Childers	Johnson (29th)	Poston	

Nays—15

Barrow	Henderson	Lewis (33rd)	Stolzenburg
Bell	Horne	Ott	Ware
Deeb	Johnson (34th)	Reuter	Weber
Ducker	Lane	Sayler	

On motion by Senator de la Parte, the rules were waived and CS for SB 1353 was ordered immediately certified to the House after engrossing.

INTRODUCTION

On motion by Senator Williams, unanimous consent was obtained to waive the requirement of Rule 3.8 that bills be delivered to the Secretary two days prior to introduction and to introduce the following:

By Senators Williams and Broxson—

SB 1591—A bill to be entitled An act making an appropriation; providing moneys for the annual period beginning July 1, 1971, and ending June 30, 1972, for the minimum foundation program for community colleges; providing an effective date.

Which was read the first time by title.

On motion by Senator Hollahan Rule 4.4 was waived and SB 1591 was placed on the Calendar notwithstanding the fact the session is in its last thirty days.

On motion by Senator Williams, unanimous consent was obtained to take up SB 1591 out of order.

On motion by Senator Williams, by two-thirds vote, SB 1591 was read the second time by title.

Senator Ware offered the following amendment which failed:

On page 1, line 10, section 4, strike Section 1 and insert: Section 1. For the 1971-72 fiscal year, the amount which each district, approved by the department to participate in the support of a junior college, shall provide toward the cost of the junior college minimum foundation program shall be three tenths (0.3) of one (1) mill of tax on ninety-five percent (95%) of the nonexempt assessed valuation of that district for the preceding year; provided that no school board or group of

school boards participating in the support of a junior college shall be required to make a financial effort to support the junior college of more than fifty percent (50%) of the total cost of the minimum foundation program. The total allocation to each junior college for the junior college minimum foundation program shall be the total calculated cost of the minimum foundation program for that junior college as determined in subsection (6) of Chapter 230.767, Florida Statutes, less the required minimum financial effort as determined herein.

On motion by Senator Williams, by two-thirds vote, SB 1591 was read the third time by title, passed and certified to the House. The vote was: Yeas—40 Nays None

Mr. President	Daniel	Johnson (29th)	Pope
Arnold	Deeb	Johnson (34th)	Poston
Barrow	de la Parte	Karl	Reuter
Beaufort	Ducker	Lane	Saunders
Bell	Graham	Lewis (33rd)	Sayler
Bishop	Gunter	Lewis (43rd)	Scarborough
Boyd	Haverfield	McClain	Trask
Brantley	Henderson	Myers	Ware
Broxson	Hollahan	Ott	Williams
Childers	Horne	Plante	Wilson

By unanimous consent, Senator Weissenborn was recorded as voting yea.

On motion by Senator Williams, the rules were waived and SB 1591 was immediately certified to the House.

On motions by Senator Bell, Senate Bills 49 and 637 were removed from the Calendar and from further consideration of the Senate.

RECONSIDERATION

The motion by Senator Horne on May 20 that the Senate reconsider the vote by which the Senate refused to concur in House amendment 1 to SB 156 on May 19 was taken up.

The motion failed by the following vote:

Yeas—16

Barrow	Daniel	Karl	Scarborough
Bell	Haverfield	Lane	Stolzenburg
Boyd	Hollahan	Lewis (43rd)	Weber
Brantley	Horne	Ott	Williams

Nays—20

Arnold	Ducker	McClain	Reuter
Broxson	Graham	Myers	Saunders
Childers	Gunter	Plante	Sayler
Deeb	Knopke	Pope	Weissenborn
de la Parte	Lewis (33rd)	Poston	Wilson

Senator Horne presiding.

Pursuant to Rule 4.14, Senator Brantley gave notice of intention to move to take up SB 873 out of order.

The Senate resumed—

SPECIAL ORDER

HB 187—A bill to be entitled An act relating to gasoline and oil inspection; amending section 525.07, Florida Statutes, to make it unlawful to break, cut, or remove the inspector's seal placed on gasoline or kerosene measuring containers; providing effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote HB 187 was read the third time by title, passed and certified to the House. The vote was: Yeas—33 Nays—None

Barrow	Graham	Lewis (43rd)	Scarborough
Bell	Gunter	McClain	Stolzenburg
Boyd	Haverfield	Myers	Trask
Brantley	Hollahan	Ott	Weber
Childers	Horne	Pope	Weissenborn
Daniel	Karl	Poston	Wilson
Deeb	Knopke	Reuter	
Ducker	Lane	Saunders	
Gong	Lewis (33rd)	Sayler	

ment within or outside of Florida; providing penalties; providing an effective date.

Was read the second time by title.

The Committee on Natural Resources and Conservation offered the following amendment which was adopted on motion by Senator Knopke:

On page 2, line 13, section (e), strike lines 13, 14 and 15 and insert: section, it is unlawful to capture at anytime any nursing female mammalian dolphin or her calf, or both.

On motion by Senator Knopke, by two-thirds vote, HB 364 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Arnold	Gong	Lewis (33rd)	Scarborough
Beaufort	Graham	Lewis (43rd)	Stolzenburg
Bell	Gunter	McClain	Trask
Boyd	Haverfield	Myers	Ware
Brantley	Henderson	Ott	Weber
Broxson	Hollahan	Plante	Weissenborn
Childers	Horne	Pope	Williams
Daniel	Johnson (34th)	Reuter	Wilson
Deeb	Knopke	Saunders	
Ducker	Lane	Sayler	

CS for HB 176—A bill to be entitled An act relating to the department of air and water pollution control; amending section 20.26, Florida Statutes, changing the names of the department of air and water pollution control and the air and water pollution control board to the department of pollution control and pollution control board, respectively; directing the statutory revision service to make the appropriate changes in terminology in the Florida Statutes; providing an effective date.

Was read the second time by title. On motion by Senator Daniel, by two-thirds vote CS for HB 176 was read the third time by title, passed and certified to the House. The vote was: Yeas—39 Nays—None

Arnold	Gong	Lane	Sayler
Beaufort	Graham	Lewis (33rd)	Scarborough
Bell	Gunter	Lewis (43rd)	Stolzenburg
Boyd	Haverfield	McClain	Trask
Brantley	Henderson	Myers	Ware
Broxson	Hollahan	Ott	Weber
Childers	Horne	Plante	Weissenborn
Daniel	Johnson (34th)	Pope	Williams
Deeb	Karl	Poston	Wilson
Ducker	Knopke	Reuter	

HB 601—A bill to be entitled An act relating to salt water fisheries and conservation; amending §370.111(3), Florida Statutes, to delete prohibition of possession by a person, firm, or corporation of more than two (2) days bag limit of snook; providing an effective date.

Was read the second time by title. On motion by Senator Knopke, by two-thirds vote, HB 601 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Bell	Graham	Lane	Sayler
Boyd	Gunter	Lewis (43rd)	Scarborough
Brantley	Haverfield	McClain	Stolzenburg
Broxson	Henderson	Myers	Ware
Daniel	Hollahan	Plante	Weber
Deeb	Horne	Poston	Weissenborn
Ducker	Johnson (34th)	Reuter	Wilson
Gong	Knopke	Saunders	

Nays—4

Arnold	Beaufort	Lewis (33rd)	Trask
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By unanimous consent, Senators Broxson and Williams were recorded as voting yea.

HB 188—A bill to be entitled An act relating to brake fluid; amending Section 526.53 (2), Florida Statutes, providing for impounding unregistered brake fluid; providing effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote HB 188 was read the third time by title, passed and certified to the House. The vote was: Yeas—34 Nays—None

Barrow	Graham	Lewis (43rd)	Scarborough
Bell	Gunter	McClain	Stolzenburg
Boyd	Haverfield	Myers	Trask
Brantley	Hollahan	Ott	Ware
Childers	Horne	Pope	Weber
Daniel	Karl	Poston	Weissenborn
Deeb	Knopke	Reuter	Wilson
Ducker	Lane	Saunders	
Gong	Lewis (33rd)	Sayler	

By unanimous consent Senators Broxson and Williams were recorded as voting yea.

HB 189—A bill to be entitled An act relating to gasoline and oil inspection; amending chapter 525, Florida Statutes, to provide injunction against violations of law and rules; providing effective date.

Was read the second time by title. On motion by Senator Karl, by two-thirds vote HB 189 was read the third time by title, passed and certified to the House. The vote was: Yeas—38 Nays—None

Arnold	Gong	Lane	Sayler
Barrow	Graham	Lewis (33rd)	Scarborough
Beaufort	Gunter	Lewis (43rd)	Stolzenburg
Bell	Haverfield	McClain	Trask
Boyd	Henderson	Myers	Ware
Brantley	Hollahan	Ott	Weber
Childers	Horne	Pope	Weissenborn
Daniel	Johnson (34th)	Poston	Wilson
Deeb	Karl	Reuter	
Ducker	Knopke	Saunders	

By unanimous consent Senator Broxson was recorded as voting yea.

HB 131—A bill to be entitled An act relating to obstructing justice; amending section 843.12, Florida Statutes; making it unlawful to aid in the escape of a person lawfully in the custody of a hospital, sanitarium, institution, or other such place of confinement or detention; providing a penalty therefor; providing an effective date.

Was read the second time by title.

Further consideration of HB 131 was deferred, the bill retaining its place on the Calendar.

HB 364—A bill to be entitled An act relating to salt water fisheries and conservation; amending section 370.12(3), Florida Statutes; providing for application for permits for capture and maintenance of mammalian dolphins (porpoises) and for ship-

By unanimous consent Senators Karl and Childers were recorded as voting yea.

The President presiding.

HB 179—A bill to be entitled An act relating to juvenile courts; amending §39.01(12)(b), Florida Statutes, to require adjudication of delinquency rather than allegation of same; providing an effective date.

Was read the second time by title. On motion by Senator Graham, by two-thirds vote, HB 179 was read the third time by title, passed and certified to the House. The vote was: Yeas—36 Nays—None

Mr. President	Gong	Knopke	Reuter
Arnold	Graham	Lane	Saunders
Beaufort	Gunter	Lewis (33rd)	Sayler
Bell	Haverfield	Lewis (43rd)	Scarborough
Boyd	Henderson	McClain	Stolzenburg
Brantley	Hollahan	Myers	Trask
Broxson	Horne	Ott	Ware
Deeb	Johnson (34th)	Plante	Weissenborn
Ducker	Karl	Poston	Wilson

By unanimous consent Senators Daniel and Childers were recorded as voting yea.

HB 1800—A bill to be entitled An act relating to educational television; amending subsection (1) of section 229.805, Florida Statutes; including radio within the scope of state policy; providing an effective date.

Was read the second time by title.

On motion by Senator Haverfield the following amendment was adopted:

On page 1, line 19, section 1, strike "moting public interest in educational television in" and insert: moting public interest in educational television and radio in

On motion by Senator Haverfield, by two-thirds vote, HB 1800 as amended was read the third time by title, passed and certified to the House. The vote was: Yeas—37 Nays—None

Mr. President	Gong	Lane	Sayler
Arnold	Graham	Lewis (33rd)	Scarborough
Barrow	Gunter	Lewis (43rd)	Stolzenburg
Beaufort	Haverfield	McClain	Trask
Boyd	Henderson	Myers	Ware
Brantley	Hollahan	Ott	Weissenborn
Broxson	Horne	Plante	Wilson
Childers	Johnson (34th)	Poston	
Deeb	Karl	Reuter	
Ducker	Knopke	Saunders	

By unanimous consent Senator Daniel was recorded as voting yea.

Notice having been given pursuant to Rule 4.14, on motion by Senator Brantley, consent was obtained to take up out of order—

SB 873—A bill to be entitled An act relating to Jewell F. Haddock; providing that the division of personnel and retirement shall credit the late Judge Page Haddock with additional service credit; providing that the surviving spouse benefits shall be paid to Mrs. Jewell F. Haddock; providing an effective date.

—which was read the second time by title. On motion by Senator Brantley, by two-thirds vote SB 873 was read the third time by title, passed and certified to the House. The vote was:

Yeas—31

Arnold	Deeb	Horne	Poston
Barrow	Ducker	Johnson (34th)	Reuter
Beaufort	Gong	Karl	Saunders
Boyd	Graham	Knopke	Scarborough
Brantley	Gunter	Lewis (43rd)	Trask
Broxson	Haverfield	McClain	Ware
Childers	Henderson	Ott	Weissenborn
Daniel	Hollahan	Pope	

Nays—7

Mr. President	Lewis (33rd)	Plante	Wilson
Lane	Myers	Sayler	

By unanimous consent Senator Childers was recorded as voting yea on the passage of HB 41 as amended on May 20.

Senator Plante moved that the Senate reconsider the vote by which HB 601 passed this day.

HB 1360—A bill to be entitled An act relating to appropriations; amending §216.231, Florida Statutes, to provide the governor, lieutenant governor, cabinet, president of the senate and speaker of the house with authority to expend funds appropriated as discretionary contingency funds to promote general government, intergovernmental cooperation, and to enhance the image of the state; providing for accountability; providing an effective date.

Was read the second time by title.

Senators Sayler and Ware offered the following amendment which was moved by Senator Sayler:

On page 2, line 12, section 1, strike "and to enhance the image of the state."

Further consideration of HB 1360 with pending amendment was temporarily deferred.

On motion by Senator de la Parte, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

May 20, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has passed with amendment—

By the Committee on Ways and Means—

SB 1344—A bill to be entitled An act making appropriations; providing moneys for the annual period beginning July 1, 1971, and ending June 30, 1972, to pay salaries, other expenses, capital outlay—buildings and improvements, and for other specified purposes of the various agencies of state government; providing an effective date.

—which amendment is attached to the original bill.

—and requests the concurrence of the Senate therein.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The House amendment constituted an entirely new bill and pursuant to Rule 7.6 was not spread upon the Journal.

On motion by Senator de la Parte, the Senate refused to concur in the House amendment to SB 1344, and the House was requested to recede therefrom and in the event the House refused to recede, requested the Speaker of the House to appoint a Conference Committee to confer with a like committee to be appointed by the President of the Senate to adjust the differences on the House amendment. The action of the Senate was certified to the House.

On motion by Senator Daniel, by two-thirds vote, Senate Bills 986 and 864 were withdrawn from the Committee on Governmental Efficiency and from further consideration of the Senate.

On motion by Senator Haverfield, by two-thirds vote, SB 665 was withdrawn from the Committee on Ways and Means and placed on the Calendar.

Senator Hollahan moved that time of adjournment be extended until acknowledgment from the House that conferees on SB 1344 had been appointed. The motion was adopted.

The Senate resumed consideration of—

HB 1360—A bill to be entitled An act relating to appropriations; amending §216.231, Florida Statutes, to provide the governor, lieutenant governor, cabinet, president of the senate and speaker of the house with authority to expend funds appropriated as discretionary contingency funds to promote general government, intergovernmental cooperation, and to enhance the image of the state; providing for accountability; providing an effective date.

The pending amendment by Senators Sayler and Ware failed.

On motion by Senator Daniel the following amendment was adopted:

On page 2, line 9, section 1, strike "and to the president of the senate and speaker of the house pursuant to section 11.151,"

On motion by Senator Daniel the following amendment was adopted:

In title, line 7, strike "president of the senate and speaker of the house" and insert the word "and" between lieutenant governor, and cabinet on line 6

Senators Sayler and Wilson offered the following amendment which was moved by Senator Sayler:

On page 2, line 6, section 1, strike
"lieutenant governor,
secretary of state
attorney general
comptroller
treasurer
commissioner of agriculture
commissioner of education"

The amendment failed by the following vote:

Yeas—17

Arnold	Ducker	Pope	Weber
Beaufort	Lane	Reuter	Wilson
Bell	Lewis (43rd)	Sayler	
Broxson	McClain	Stolzenburg	
Deeb	Plante	Ware	

Nays—17

Mr. President	de la Parte	Horne	Poston
Boyd	Gong	Knopke	Trask
Brantley	Graham	Lewis (33rd)	
Childers	Gunter	Myers	
Daniel	Hollahan	Ott	

Senator Stolzenburg moved the adoption of the following amendment which failed:

On page 1, line 23, section 216.231(1), strike "three" and insert: five

Senator Ducker moved the adoption of the following amendment which failed:

On page 2, line 5, section 1, strike line 5 and insert: there is appropriated each year the sum of \$25,000 each for discre-

On motion by Senator Sayler, by two-thirds vote, HB 1360 as amended was read the third time by title and passed. The vote was:

Yeas—25

Arnold	Daniel	Karl	Poston
Beaufort	de la Parte	Knopke	Sayler
Bishop	Gong	Lewis (33rd)	Scarborough
Boyd	Graham	Myers	Trask
Brantley	Gunter	Ott	
Broxson	Haverfield	Plante	
Childers	Hollahan	Pope	

Nays—15

Bell	Johnson (34th)	Reuter	Weber
Deeb	Lane	Saunders	Williams
Ducker	Lewis (43rd)	Stolzenburg	Wilson
Henderson	McClain	Ware	

Senator Sayler moved that the Senate reconsider the vote by which HB 1360 as amended passed this day.

Senator Broxson moved that the Senate reconsider the vote by which SB 873 passed this day.

CS for HB's 501 & 458—A bill to be entitled An act relating to drug abuse; amending chapter 404, Florida Statutes, by including cannabis among substances controlled by the Florida drug abuse law; providing that the crime of possession of cannabis, on the first offense, shall constitute a misdemeanor; providing for arrest upon probable cause for such crime; amending subsection (5) of section 398.10, Florida Statutes, to delete reference to cannabis therein; repealing subsection (12) of section 398.02, Florida Statutes; providing an effective date.

Was read the second time by title.

Senator Wilson moved the following amendment:

On page 3, line 2, section 2A, between "possession" and "of" insert: or sale without a monetary consideration

On motion by Senator de la Parte, the rules were waived and the Senate reverted to—

MESSAGES FROM THE HOUSE OF REPRESENTATIVES

The Honorable Jerry Thomas
President of the Senate

May 21, 1971

Sir:

I am directed to inform the Senate that the House of Representatives has refused to recede from House amendment to—

SB 1344—and the Speaker has appointed Representatives Harris, Chairman, Fortune, Vice-Chairman, Reeves (alternate for Representative Fortune), Sessums, Turlington, Mixson, Gustafson and D'Alemberte as a Conference Committee on the part of the House.

Respectfully,
ALLEN MORRIS
Clerk, House of Representatives

The President announced the appointment of Senators de la Parte, Gunter, Williams, Myers, Lane, Broxson and Saunders as the Conference Committee on the part of the Senate to adjust the differences on the House amendment to SB 1344.

The hour of adjournment having arrived, a point of order was called and the Senate adjourned at 1:25 p.m. to reconvene at 8:30 a.m., May 24, for the purpose of introduction and reference of resolutions, memorials, bills and joint resolutions and thereafter to reconvene at 10:00 a.m., May 24, 1971.